



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

TS

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/136,839	08/20/98	TETT	R PAGE01-00136

LM02/0919

WILLIAM A MUNCK
NOVAKOV DAVIDSON & FLYNN
2000 ST PAUL PLACE
750 NORTH ST PAUL STREET
DALLAS TX 75201-3286

EXAMINER

SHIMIZU, M

ART UNIT

PAPER NUMBER

2735

4

DATE MAILED: 09/19/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

fo

Office Action Summary

Application No.

09/136,839

Applicant(s)

Tett

Examiner

Matsuichiro Shimizu

Group Art Unit

2735



☒ Responsive to communication(s) filed on Aug 20, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2735

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-2 and 4-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Davis (5,392,52).⁴
2. Regarding claim 1, Davis discloses for use in a wireless messaging system (c 1, ls 8-12), a message distribution system capable of allowing a subscriber (c 5, l 8, user) of said wireless messaging system to review stored wireless messages sent to said subscriber comprising; a first I/O interface (30, Fig. 1, c 4, ls 25-31, telephone interface network) capable of receiving a message retrieval request (Fig. 1, c 4, ls 25-31, message retrieval request) from said subscriber (Fig. 1, c 4 , ls 25-31, signal generated belonging to subscriber or user); a message retrieval controller coupled to said first I/O interface (32, Fig. 1, c 4, ls 25-31, telephone interface network) capable of determining an identity of said subscriber (Fig. 1, c 4, ls 25-31, predetermined security identification code) from identification data contained in said message retrieval request (Fig. 1, c 4, ls 25-31, signal generated belonging to subscriber or user), retrieving a data record associated with said subscriber (34 and 42, Fig. 1), said data record containing one or more of said stored wireless messages (42, Fig. 1), and transferring to said subscriber one or

Art Unit: 2735

more selected portions of at least one of said stored wireless messages (c 4, ls 34-40, transferred to the pager or subscriber).

3. Regarding claim 2, Davis discloses a database coupled to said message distribution system capable of storing said stored wireless messages (42, c 4, ls 34-40).

4. Regarding claim 4, Davis discloses said first I/O interface is capable of receiving a wireless message directed to said subscriber (30, Fig. 1, c 4, ls 34-40).

5. Regarding claim 5, Davis discloses an RF transceiver facility (15, Fig. 1).

6. Regarding claim 6, Davis discloses an incoming wireless message controller (32, Fig. 1, paging terminal).

7. Regarding claim 7, Davis discloses receiving from said RF transceiver facility a response message responsive to a transmission of said received wireless message to said paging device (50, Fig. 1, c 5, ls 44-47, a call point transceiver).

8. Regarding claim 8, Davis discloses said message retrieval request is received from a public telephone system (30, Fig. 1, c 4, ls 25-28, the interface coupled to PSTN-20).

9. Regarding claim 9, Davis discloses said message retrieval request is received from a wide area data network (20, Fig. 1, c 4, ls 34-40, anticipated from PSTN).

10. Regarding claim 10, Davis discloses a plurality of RF transceiver facilities (c 3, ls 2-33, anticipated from the nearest cordless telephone call point station suggests many other call point stations). Furthermore, all the rest of the subject matter except said plurality of RF transceiver

Art Unit: 2735

facilities in claim 10 are disclosed in claims 1-2, and therefore, rejections of the remaining subject matter expressed in claim 10 are met by references and associated arguments applied to rejections of claims 1-2.

11. All subject matters in claim 11 are disclosed in claims 3 and 10, and therefore, rejections of the subject matters expressed in claim 11 are met by references and associated arguments applied to rejections of claims 3 and 10.

12. All subject matters in claim 12 are disclosed in claims 4 and 10, and therefore, rejections of the subject matters expressed in claim 12 are met by references and associated arguments applied to rejections of claims 4 and 10.

13. All subject matters in claim 13 are disclosed in claims 5 and 12, and therefore, rejections of the subject matters expressed in claim 13 are met by references and associated arguments applied to rejections of claims 5 and 12.

14. All subject matters in claim 14 are disclosed in claims 6 and 12, and therefore, rejections of the subject matters expressed in claim 14 are met by references and associated arguments applied to rejections of claims 6 and 12.

15. All subject matters in claim 15 are disclosed in claims 7 and 13, and therefore, rejections of the subject matters expressed in claim 15 are met by references and associated arguments applied to rejections of claims 7 and 13.